



CALIFORNIA TRANSPORTATION COMMISSION
POLICIES FOR THE
CLEAN AIR AND TRANSPORTATION IMPROVEMENT ACT
FERRY PROGRAM GUIDELINES

RESOLUTION #G-92-17
(Replaces Resolution #G-91-5)

GENERAL POLICIES

1. The Commission, as the designated policy body in the Clean Air and Transportation Improvement Act (CATIA) of 1990, will implement the CATIA in a timely, cost effective, and efficient manner.
2. The Commission shall, to the extent feasible, integrate the CATIA process with the State Transportation Improvement Program (STIP) and Transit Capital Improvement (TCI) Program process to minimize multiple application cycles and duplicate applications, while not delaying any CATIA projects proposed for funding.
3. The Commission will award grants as specified in the CATIA and ensure that the CATIA is implemented over the term of the Act from 1990 to 2010.
4. The Commission prefers to implement this grant program so as to assure that use of CATIA funds will lead to ferry services no later than the year 2000.
5. The Commission will seek to maximize the use of funds in the CATIA and other funding sources to provide ferry services.
6. The Commission will only accept grant applications for ferry projects as defined or identified in the CATIA (see Policy 29).
7. The Commission shall require that all ferry equipment and facilities be fully accessible to older persons, persons with disabilities including wheelchair users, and be reasonably accessible to bicycles.
8. The Commission shall require the grant applicants and the implementing agencies to demonstrate that ferry projects do not duplicate existing service and are coordinated with other transit services.
9. The Commission shall review annually, and as necessary, amend the CATIA policy guidelines, application guidelines, and financial guidelines to ensure that the program reflects the current statutes, as well as Commission policies and programs.

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FINANCIAL/FUNDING POLICIES

15. The Commission intends to adopt financial guidelines for the transfer and expenditure of funds that are consistent with Section 164.4 of the Streets and Highways Code.

16. The Commission intends to allocate CATIA funds in a manner that minimizes the state debt service on the bond issues.

The Commission will allocate funds only on an as needed reimbursement basis. The Commission's approval of a complete project application will delineate the State's share of the total project cost and for the grant applicant's purpose shall also serve as a verification letter of the state's funding commitment.

17. The Commission will, as appropriate, use its Five-Point Strategy for Program Delivery Reform (#G-90-21), Cost Monitoring Policy (#G-90-11), and Timely Use of Funds Policy to ensure that the grant applicant shall provide a ferry project and services in a timely and cost efficient manner. If the project is delayed, the grant applicant shall describe the causes of the cost increases, and detail measures to fund the increases, and cost control measures on future project costs.
18. CATIA funds are not subject to the South/North split and county minimums.
19. CATIA funds, with Commission approval, may be used to enhance a completed project if a cost savings exists as defined by the Commission's Cost Saving Policy (#G-90-9).
20. The Commission shall require that the grant applicants/operating agencies demonstrate they have the financial capacity to implement, maintain, and operate the project for ferry services, as well as the financial and institutional ability to accept the legal liabilities and obligations.
21. Project cost shall be based on the first complete project application submitted and approved by the Commission.
22. If projects exceed the cost proposed by the grant applicant, then the grant applicant shall cover the cost increases with local, federal or private funds.
23. CATIA funds shall be expended with federal, local, private or other funding sources during the implementation of the project. The intent of the Commission is to allocate funds throughout all the project elements to ensure that reasonable progress and project implementation occurs.

PROJECT POLICIES

24. The Commission will allow up to 5 percent of the grant allocation for pre-construction work such as preliminary engineering and design, and environmental work, but not feasibility or planning studies.

CLEAN AIR AND TRANSPORTATION IMPROVEMENT ACT

FERRY PROJECT APPLICATION GUIDELINES

PURPOSE AND AUTHORITY

The Clean Air and Transportation Improvement Act (CATIA) makes available \$20 million to fund a program of competitive grants to local agencies for the construction, improvement, acquisition and other capital expenditures associated with waterborne ferry operations for the transportation of passengers or vehicles or both (PUC Section 99651). The CATIA also designates a separate \$10 million for allocation to the City of Vallejo for expenditure on waterborne ferry vessels and terminal improvements (PUC Section 99646). PUC Section 99646 grant applicants must submit an application that at a minimum meets the requirements described within the Ferry Program Policy Guidelines and Application Guidelines, as well as requirements for a financial plan, an operations plan, and a cash expenditure plan for the annual application of funds and total funding package.

These guidelines are intended to assist in the submission of applications for ferry projects under the CATIA. Applications will be evaluated with respect to contributions made to the total regional transportation system (both private and public sectors), including coordinated improvements to streets, roads and highways and other transportation modes.

The guidelines implement the CATIA Program in accordance with the basic program requirements established in Sections 99600 et seq. of the Public Utilities Code, as added by Proposition 115 (June 1990). PUC Section 99660(a) requires that program guidelines be adopted by the California Transportation Commission. The program has a total of \$1.99 billion in state bonding authority.

II ELIGIBLE APPLICANTS

Eligible fund applicants are "Local Agencies", which means a county, city, city and county, county transportation commission, county transportation authority, transit development board, transit district, or any joint powers agency specified in PUC Section 99601.

III QUALIFYING FERRY PROJECTS

Eligible projects include the construction, improvement, acquisition and other capital expenditures associated with waterborne ferry operations for the transportation of passengers or vehicles or both (PUC Section 99651) and for waterborne ferry vessels and terminal improvements (PUC Section 99646).

Projects in this program should provide a safe, reliable, and efficient system of transit services in the State, and produce improved, cost effective transit service without being spent on needlessly costly features. All ferry facilities and vessels shall be accessible to persons with physical disabilities, including wheelchair users at all terminals whether or not staffed. All passenger vessels shall provide reasonable access to bicycles and all terminals shall provide convenient and secure bicycle parking facilities (PUC Sections. 99660(a)(b), 99682, 99683).

Statutory Eligibility - The applicant is an eligible claimant for CATIA funds, pursuant to Section 99646 or Section 99651 of the Clean Air and Transportation Improvement Act of 1990.

Governing Board Approval - The applicant's governing board/body has approved the project and the Proposition 116 project application.

Financial Capacity - The applicant has the financial capacity to implement, maintain, and operate the project.

Timely Use of Funds - The applicant can expend the state bond proceeds approved for the project for reimbursement of eligible capital costs within 24 months of the close of the bond sale and can expend the state bond proceeds approved for reimbursement of eligible right-of-way acquisition costs within six months of the close of the bond sale.

Accessibility - The project/service is fully accessible to persons in wheelchairs and reasonably accessible to bicycles, or the applicant has a plan to make its services and facilities accessible to persons in wheelchairs and to bicycles.

CEQA Compliance - The applicant agency has completed, or will complete prior to beginning the project, the required environmental clearance documentation, pursuant to the California Environmental Quality Act (CEQA).

Plans - The project/service is a part of an adopted local general plan, circulation element, or regional plan.

3 Other Resolution/Certification Requirements

In addition to those resolutions/certifications required to meet the screening criteria, each applicant shall submit the following resolutions or certifications attesting to compliance with specified Commission policies and CATIA requirements. Applicants may satisfy these requirements with a master resolution/certification in the same manner as described in Section VI-A.

- o No other capital funds previously programmed, planned or approved for waterborne ferry purposes will be used for other than waterborne ferry purposes.
- o New development fees, taxes or exactions, or permit fees have not and will not be included in the operating budget(s) for this project.
- o No other state funding sources will be utilized to complete this project if costs exceed those identified in the approved application.
- o The applicant agency has the financial and institutional ability to accept the legal liabilities associated with this project.